

No. 21-

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In the  
Supreme Court of the United States

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Allyn Akeem Smith,

Petitioner,

v.

State of Arizona,

Respondent.

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ON PETITION FOR A WRIT OF CERTIORARI TO THE  
SUPREME COURT OF ARIZONA

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**MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

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MIKEL STEINFELD  
*Counsel of Record*  
Maricopa County Public Defender's Office  
620 West Jackson, Suite 4015  
Phoenix, Arizona 85003  
Telephone (602) 506-7711  
State Bar Attorney No. 024996  
[Mikel.Steinfeld@Maricopa.Gov](mailto:Mikel.Steinfeld@Maricopa.Gov)

*Counsel for Petitioner*

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**CAPITAL CASE**

**MOTION**

Petitioner, Allyn Akeem Smith, asks leave to file the attached petition for a writ of certiorari to the Arizona Supreme Court without prepayment of costs and to proceed *in forma pauperis* pursuant to Supreme Court Rule 39.

Petitioner was previously found indigent and appointed counsel. For the trial, the trial court found Smith indigent and appointed counsel on February 10, 2015. After Smith was convicted and sentenced to death, the Maricopa County Public Defender's Office was appointed, and filed its Notice of Appearance on July 20, 2018.

RESPECTFULLY SUBMITTED on January 19, 2021.

MARICOPA COUNTY PUBLIC DEFENDER

By       /s/ Mikel Steinfeld

MIKEL STEINFELD

*Counsel of Record*

Maricopa County Public Defender's Office

620 West Jackson, Suite 4015

Phoenix, Arizona 85003

Telephone (602) 506-7711

State Bar Attorney No. 024996

[Mikel.Steinfeld@Maricopa.Gov](mailto:Mikel.Steinfeld@Maricopa.Gov)

*Counsel for Petitioner*



SUPERIOR COURT OF ARIZONA FOR  
Maricopa County

Michael K Jeanes, Clerk of Court  
\*\*\* Electronically Filed \*\*\*  
R. Montoya, Deputy  
2/12/2015 4:16:00 PM  
Filing ID 6403872

Final Release Order and Order Regarding Counsel

State of Arizona

1 Cnt MURDER 1ST DEG- F1  
1 Cnt Att.MURDER 1ST DEG- F1

1 Cnt FAIL TO REPORT F2

CaseNumber: **PF2015106788001**

vs.

Booking#: **T152863**

**Allyn Akeem Smith**

It is hereby ordered that **Allyn Akeem Smith shall be released** as indicated and must comply with ALL release conditions.

**NEXT HEARINGS**

**Status Conference**

February 17, 2015 at 08:30 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ, 85003-2243 Courtroom: 3A **Docket: RCCT1**

**Preliminary Hearing**

February 20, 2015 at 08:30 AM at South Court Tower, 175 W. Madison Street, 3rd Floor, Phoenix, AZ, 85003-2243 Courtroom: 3A **Docket: RCCT1**

**WARNING: If the defendant appears at the next hearing without a lawyer, the hearing may still proceed as scheduled.**

**RELEASE TYPE**

**Bailable As a Matter of Right**

The defendant has been found to be bailable as a matter of right. IT IS HEREBY ORDERED that the defendant must comply with all release conditions and shall be released from custody in this Cause Number as follows:

**Secured Appearance Bond**

The defendant will deposit with the Clerk of the above Court the total sum of **\$500,000.00**, which includes all applicable surcharges.

**RELEASE CONDITIONS**

1. You are not to return to the scene of the alleged crime.
2. You are not to initiate contact with the alleged victim or victims.
3. You are not to have any physical contact with any alleged victim.
4. You are not to initiate contact with the arresting officers.
5. You are not to possess any weapons.
6. You are not to possess any drugs without a valid prescription.
7. You are not to drive a motor vehicle without a valid driver's license.
8. You must continue to provide the court with proof of your local address.

You must appear at all court proceedings in this case or your release conditions can be revoked, a warrant will be issued and proceedings may go forward in your absence. In addition, failure to appear at a future court proceeding may result in a waiver of any claim that you were not informed of a plea offer made in your case by the State. a.You will appear to answer and submit to all further orders and processes of the court having jurisdiction of the case. b.You will refrain from committing any criminal offenses.c.You will diligently prosecute any appeal. d.You will not leave the state without permission of the court.

If you violate any conditions of this release order, the court may order the bond and any security deposited in connection therewith forfeited to the State of Arizona. In addition, the court may issue a warrant for your arrest upon learning of your violation of any conditions of your release. After a hearing, if the court finds that you have not complied with the conditions of release, it may modify the conditions or revoke your release altogether.

**ATTORNEY APPOINTMENT**

The Court finds you to be indigent and orders an attorney to provide you representation.

You must contact the Office of the Legal Defender at **222 N. Central Suite 8100, Phoenix, AZ. 602-506-8800**

**The following attorney, after filing a Notice of Appearance, appeared today on behalf of the defendant:**

Attorney Name: Henry J Jonathan  
027976

Firm: Knowles Law Firm P L C

Bar#:



**SUPERIOR COURT OF ARIZONA FOR  
Maricopa County  
Final Release Order and Order Regarding Counsel**

Case#: **PF2015106788001**  
Booking#: **T152863**

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**ACKNOWLEDGEMENT BY DEFENDANT**

I have received a copy of this form. I understand the standard conditions, all other conditions, and the consequences of violating this release order. I agree to comply fully with each of the conditions imposed on my release and to notify the court promptly in the event I change my place of residence.

Date 2/10/2015 8:00:00 PM

Address: 2829 WEST GOLD DUST AVENUE

City, State, Zip: QUEEN CREEK, AZ, 85142

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**Kenneth Skiff**  
Judge / Commissioner

Signature: \_\_\_\_\_

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**Allyn Akeem Smith**  
Defendant

**PEG GREEN**  
Deputy Public Defender  
Downtown Justice Center  
620 West Jackson Street, Suite #4015  
Phoenix, Arizona 85003  
Telephone (602) 506-7711  
[ACE@mail.maricopa.gov](mailto:ACE@mail.maricopa.gov)  
State Bar Membership No. 011222  
Attorney for APPELLANT

**IN THE SUPREME COURT  
STATE OF ARIZONA**

STATE OF ARIZONA,

Appellee,

v.

ALLYN AKEEM SMITH,

Appellant.

No. CR-18-0295-AP

Maricopa County Superior Court  
No. CR-2015-106788-001 DT

**NOTICE OF APPEARANCE**

Please take notice that PEG GREEN, on behalf of the Office of the Public Defender, hereby makes an appearance in the above-referenced matter.

**RESPECTFULLY SUBMITTED** this 20<sup>th</sup> day of July, 2018.

MARICOPA COUNTY PUBLIC DEFENDER

By \_\_\_\_\_/s/\_\_\_\_\_

**PEG GREEN**  
Deputy Public Defender